

## **Hazardous Waste Forum**

**Review of Hazardous Waste – an action plan for its reduction  
and environmentally sound management**

# 1 The Regulatory System

1 The Regulatory System		
	Lead Organisations	Progress
<b>Overall Objective 1</b>		
<p><i>To provide a clear and robust regulatory system for hazardous waste management. This must provide both:</i></p> <ul style="list-style-type: none"> <li><i>the clarity of unambiguous legislative requirements; and</i></li> <li><i>the certainty of consistent and transparent implementation, inspection and enforcement.</i></li> </ul>		
<b>Recommended Actions</b>		
<p>Specific objective 1.1: Provide clarity of legislative requirements</p>		
<p>1.1A Government should provide clarity as soon as possible on the extent, timing and application of forthcoming changes to legislation governing the management of hazardous waste.</p>	<p>Defra</p>	<p>Done LHIP Programme Board closed Dec 2005</p>

## 1 The Regulatory System

	Lead Organisations	Progress
<p>1.1B The Landfill Directive Waste Acceptance Criteria (WAC). Government should confirm as soon as possible the date for the implementation of WAC: finalise the regulatory procedure for the interim year, if WAC is only to be introduced in July 2005; and confirm details of the application of the new landfill regime.</p>	Defra	Done
<p>(i) <i>Government should make a decision as soon as possible on the date for the implementation of the WAC.</i></p>	Defra	Done
<p>(ii) <i>If the waste acceptance criteria are to apply from July 2005, then the Government and the Environment Agency should clarify as soon as possible how the remaining hazardous waste landfill sites will be regulated in the gap year July 2004 – July 2005, between the ending of co-disposal and the full application of WAC.</i></p>	Defra Environment Agency	Done
<p>(iii) <i>Government should provide clarity as soon as possible on where and when the risk assessment criterion within the WAC will be available for use.</i></p>	Defra	Done

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	Lead Organisations	Progress
(iv) <i>The Government needs to clarify requirements for the deposit of hazardous wastes at landfill sites which have previously received non-hazardous wastes.</i>	Defra	Done
(v) <i>The Environment Agency should, as soon as possible, develop, consult on, and implement, criteria for the acceptance of stable hazardous wastes in cells on non-hazardous waste landfill sites.</i>	Environment Agency	On-going – issue now being considered at EU level and information fed into the Landfill Regulation Group
<p>1.1C The Hazardous Waste Regulations (HWR)</p> <p>Government must ensure that the HWR are in place as soon as possible and at least before 16 July 2004.</p>	Defra	Done
<p>1.1D Government and the Devolved Administrations should strive for a consistent approach to implementation and regulations across the UK. Differences in approach should not lead to market distortion.</p>	Defra Scottish Executive National Assembly of Wales EHS NI	On-going following implementation of HWR

## 1 The Regulatory System

### Lead Organisations

### Progress

#### Specific objective 1.2:

Effective implementation, inspection and enforcement of the hazardous waste regulatory control

1.2A The Environment Agency should keep under review its regulatory effort on hazardous waste and apply it in a proportionate and risk-based manner. This will be of particular importance in the transitional period immediately following the end of co-disposal and the introduction of the new control regime in July 2004.

Environment Agency

On-going

The following recommendations should fall under this 'umbrella' operational plan:  
1.3a, 1.3b, 1.3c, 1.3d and 1.3e.

1.2B Enforcement is a vital part of the overall control system and should be used on a consistent basis. The Forum recommends that the courts be encouraged to ensure that the penalties are such that the cost of non-compliance is greater than the cost of compliance.

Defra  
Environment Agency

Changes proposed on duty of care, carriers, brokers and TFS controls

#### Specific objective 1.3:

Ensure a 'level playing field', by applying effective control of hazardous wastes fairly and consistently to all the 'links' in the waste management chain from the 'cradle' to the 'grave', thus eliminating illegal activities

1.3A Hazardous waste producers should be subject to inspection and enforcement, through a registration scheme if appropriate.

Environment Agency  
Defra

Done

1.3B Waste brokers, carriers and transfer stations should be subject to proportionate, risk-based inspection and regulation

Environment Agency  
Defra

On-going, including Duty of Care consultation

## 1 The Regulatory System

	<b>Lead Organisations</b>	<b>Progress</b>
<p>1.3C An assessment should be made by the Environment Agency of the extent and risk of subversion of the hazardous waste controls, both through mixing, blending and dilution, and through the abuse of trade effluent consents.</p>	<p>Environment Agency Assistance from CIWM, ESA and Water UK</p>	<p>On-going  Presentations made to the Forum and the Landfill Regulation Group</p>
<p>1.3D The Environment Agency should continue to ensure that all hazardous waste treatment and disposal facilities are regulated on the same, consistent basis.</p>	<p>Environment Agency ESA CIWM</p>	<p>On-going  Environment Agency issued guidance on hazardous waste treatment</p>
<p>1.3E The Environment Agency and local authorities should enhance their working relationships to monitor and where necessary detect, deter and disrupt illegal and unlicensed activities, particularly in the transitional period following the end of co-disposal and the implementation of the new control regime in July 2004.</p>	<p>LGA Environment Agency Defra</p>	<p>On-going</p>

## 2. Raising Awareness and Encouraging Waste Minimisation

### 2. Raising Awareness and Encouraging Waste Minimisation

**Lead Organisations**

**Progress**

#### **Overall Objective 2**

*To raise awareness of the issues surrounding hazardous waste management, in business and industry  
To promote the environmentally sound management of hazardous wastes, and in particular hazardous waste minimisation (i.e. prevention, reduction, reuse, recovery and recycling)*

#### **Recommended Actions**

Specific objective 2.1:

Waste producers to have straightforward access to information on all aspects of hazardous waste management and associated legislative requirements

2.1A An information and awareness programme on hazardous waste management for business and industry should be developed and implemented as soon as possible. Co-ordinated by the Environment Agency, the programme should focus on the requirements and obligations of the new hazardous waste management control system, and its practical and financial impacts.

Environment Agency  
With full support from trade associations, waste management industry, Envirowise DTI and Defra.

Done

The Environment Agency's Net Regs and other guidance are in place for producers of hazardous waste to find information pertinent to their business.

Envirowise  
Defra guidance  
Defra web portal  
Environment Agency's Landfill Directive & Hazardous Waste Directive Product Lists

## 2. Raising Awareness and Encouraging Waste Minimisation

	Lead Organisations	Progress
<p>2.1B Envirowise, through their existing helpline, should be established as the single point of contact, to provide practical information on all aspects of hazardous waste minimisation. This focal point will have active collaboration from the Agency and needs to be clearly sign-posted, so that its user community can find it easily and quickly.</p>	<p>Envirowise Environment Agency Trade Associations</p>	<p>Done: Helpline established</p> <p>The Envirowise Helpline has been established since 1994 (Environment and Energy Helpline 0800 585794) as a helpline focussed primarily on providing resource efficiency help, with a secondary function of helping many other areas of waste and resource issues. The Helpline has been run as usual but has taken on any hazardous waste enquiries received as a result of the introduction of the new Hazardous Waste Regulations.</p> <p>The Landfill Regulations Group Compliance sub-group asked for BREW to support the Envirowise Helpline to be expanded, badged and run as a hazardous waste compliance Helpline for SMEs, and Envirowise were told by BREW that this was not appropriate for BREW funding.</p>
<p><b>Specific objective 2.2:</b> To disseminate good practice, and to encourage innovation, in waste prevention, reduction, reuse, recovery and recycling</p>		
<p>2.2 An adequately resourced and funded technical assistance programme, to disseminate legislative requirements, good practice and to encourage innovation in hazardous waste prevention, reduction, reuse and recycling, should be established as soon as possible. Active participation by industry and relevant trade associations, as well as Government and the regulators, is vital to its success.</p> <p>This could be a specifically funded and earmarked extension to the terms of reference of Envirowise.</p>	<p>Envirowise, with support from Defra/DTI, Waste management industry Trade associations</p>	<p>BREW funding - DTI New Technologies Programme</p> <p>Envirowise provided events to publicise the introduction of Hazardous Waste Regulations, and continues to offer help on hazardous waste issues in its telephone advise services, and for hazardous waste minimisation in its visits services.</p>

## 2. Raising Awareness and Encouraging Waste Minimisation

### Lead Organisations

### Progress

Specific objective 2.3:

To establish and disseminate best practice for the environmentally sound management of priority waste streams

2.3 An adequately resourced and funded technical assistance (and where appropriate research) programmes should be set up to focus on agreed priority hazardous waste streams. Again, active participation by industry and the relevant trade associations is vital to success.

The priority hazardous waste streams are:

- (i) contaminated soils,
- (ii) construction and demolition waste,
- (iii) waste oils,
- (iv) air pollution control residues,
- (v) filter cakes,
- (vi) wastes from the non-ferrous metals industry

Further details of these priority waste streams can be found in the supporting documentation accessible via the relevant weblink listed in the Table of Contents.

Forum and Task Force Members

Also:  
Trade Associations, waste management industry and producers.

BREW funding – DTI New Technologies Programme

Problematic Waste Stream sub-group of Landfill Regulation Group established and looking at key problematic waste to make recommendations.

“New” problematic waste streams identified:

- contaminated packaging
- oily sludges
- CCA (copper, chrome and arsenic treated) timber

### 3. Ensuring the Provision of Recycling, Recovery, Treatment and Disposal Capacity

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	Lead Organisations	Progress
<b>Overall Objective 3</b>		
<p>To ensure the provision of the hazardous waste management facilities required to meet the new legislative requirements.</p> <p>A particular concern is to ensure that adequate capacity is available in the short to medium term, during the initial transitional period following the end of co-disposal and the introduction of the new regulatory control regime.</p>		
<b>Recommended Actions</b>		
<p>Specific objective 3.1: Clarity on the likely scope of new infrastructure which needs to be developed, in order to meet the requirements of the new regulatory regime for hazardous wastes</p>		
<p>3.1 Clearer information setting out likely capacity requirements should be prepared for the hazardous waste recycling, recovery, treatment and disposal capacity, which needs to be developed in the short and medium term, to meet the requirements of the new regulatory control regime, and this information needs to be kept under review.</p> <p>The information should, as far as practicable, estimate waste arisings, indicate the generic types of facilities likely to be required and comment on the desirable regional distribution. This information is currently under preparation by the Hazardous Waste Forum, with support in particular from Government, the Environment Agency and the waste management industry.</p>	<p>Formerly the Hazardous Waste Forum Task Force</p>	<p>Done</p> <p>The work produced by the Treatment and Capacity sub group was expanded and finalised.</p> <p>A Statement of Facility need (part of revised Waste Strategy) specifically focuses on treatment and disposal capacity for the future.</p>

### 3. Ensuring the Provision of Recycling, Recovery, Treatment and Disposal Capacity

#### Lead Organisations

#### Progress

Specific objective 3.2:

Make the planning and permitting systems responsive to the urgent need for additional treatment and disposal capacity

3.2 Government should review planning policy guidance and permitting processes for hazardous waste management facilities. Government should also as part of a wider statement of needs for waste management facilities provide sufficient information about the various categories of hazardous waste, where they are produced, and types of facilities suitable for treating them in order to facilitate the efficiency of short and long term planning procedures.

Defra  
DCLG  
DTI  
Task Force

Done

Task Force report – letter to RTABs on SWaT data  
Task Force Report  
Statement of Facility need being developed as part of revised Waste Strategy  
Environmental Permitting Programme recommending revised permitting system for waste

3.2A Government should, in the short term, issue a general statement on the need for new or replacement waste management facilities of all types. This will help ensure that the planning system can respond effectively to the urgent need for additional treatment and disposal capacity for hazardous wastes to meet the new legislative requirements, particularly in the short-term.

Defra  
DCLG

On-going

Waste Strategy review to include statement of facility need (as above)

3.2B Government should as soon as practicable review and revise current planning guidance for waste management facilities (PPS 10) to make clear the need for new and replacement facilities of all types, including hazardous waste.

Defra  
DCLG

On-going

Revised PPS 10 produced

3.2C Government should consider ways of better informing the public about hazardous waste management issues and addressing their concerns.

Defra/DCLG  
Environment Agency

On-going

Defra and DCLG maintain close links on planning issues

### 3. Ensuring the Provision of Recycling, Recovery, Treatment and Disposal Capacity

	Lead Organisations	Progress
<p>Specific objective 3.3: Move forward with preparation for any likely shortfall in treatment capacity, post-July 2004 (or July 2005)</p>		
<p>3.3A Defra and the Environment Agency should consider what short-term actions may be required in the event of a hiatus between the implementation of relevant Directives, and the provision of appropriate management options. This might include a general shortfall in treatment capacity, lack of an appropriate management route for a specific waste stream, etc.</p>	<p>Defra/Environment Agency</p>	<p>On-going</p> <p>The HWF task force monitored progress and established the short term needs. The output of this work was fed directly into discussions being had with Defra and the Environment Agency.</p> <p>Defra and the Environment Agency established management options for any shortfall and disseminated to Local Authorities and Devolved Administrations.</p> <p>Problematic Waste Stream sub-group established as part of the Landfill Regulation Group</p>
<p>3.3B A task force should be set up, with representatives of key stakeholder groups, to review progress in providing the short-term capacity required, and to minimise the disruption to industry of any temporary shortfalls.</p>	<p>Formerly the Hazardous waste Forum Task Force</p>	<p>Done</p>

## 4 Further Developing the National Framework for Hazardous Waste Management

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	Lead Organisations	Progress

**4 Further Developing the National Framework for Hazardous Waste Management**

**Lead Organisations**

**Progress**

**Overall Objective 4**

**To build on Waste Strategy 2000, to put in place a sound framework for developing hazardous waste management in the UK over the next 10 years and beyond**

**Recommended Actions**

Specific objective 4.1:

Provide an integrated set of policy instruments, to encourage waste producers to reduce, reuse, recycle and recover their hazardous wastes to adopt environmentally sound management

4.1 The Forum recommends that a more balanced set of policy and economic instruments, including 'carrots' as well as 'sticks', is required to encourage hazardous waste producers to act more responsibly.

Government should carry out further work on developing economic and similar instruments that act as incentives to minimise hazardous waste production, increase reuse and recycling, and/or adopt environmentally sound management.

The first results should be reported back to the Forum within 6 months.

Defra/Treasury

Some achieved through BREW for example DTI New Technologies Programme

Others in development – Waste Strategy review looking at policy options

Specific objective 4.2:

Establish, and move towards the achievement of, specific targets for hazardous waste reduction, reuse and recycling, for example through promoting producer responsibility for hazardous waste

#### 4 Further Developing the National Framework for Hazardous Waste Management

	Lead Organisations	Progress
<p>4.2 The Forum considers the use of targets for hazardous waste reduction as an important means of driving and monitoring progress. However, the information required to set realistic and achievable targets is not currently available. Once the information is available, the Forum will recommend where and how specific targets might be introduced.</p>	<p>Defra Forum</p>	<p>Defra propose targets to be set once the Environment Agency's new hazardous waste database produces a baseline for one or two years data (expected in 2008)</p>
<p><b>Specific objective 4.3:</b> To provide, and maintain in the long term, a diversity of options for hazardous waste recycling, recovery, treatment and disposal, which represents the best practicable environmental option (BPEO)</p>		
<p>4.3 The Forum sees the need to provide, and maintain, a diversity of options for hazardous waste recycling, recovery, treatment and disposal in the long term.</p> <p>As proposed in Waste Strategy 2000, BPEO should be established for hazardous wastes (working on the basis of selected waste streams). Government and the Agency should lead the study, but all stakeholder groups should take an active part.</p>	<p>Environment Agency Defra</p>	<p>BPEO no longer used. Overtaken &amp; BAT guidance now relevant</p> <p>BREF note on waste treatment published</p>
<p><b>Specific objective 4.4:</b> Good quality, reliable and consistent data to be available on a regular basis, to form a basis for the better planning for, and management of, hazardous waste</p>		
<p>4.4 The Hazardous Waste Forum will investigate further the options for improving the availability of good quality, reliable and consistent data for improved planning and management of hazardous waste.</p>		<p>Hazardous Waste Regulations database operational: awaiting full data for 2005 and 2006</p>

#### 4 Further Developing the National Framework for Hazardous Waste Management

#### Lead Organisations

#### Progress

Specific objective 4.5:

Encourage greater levels of segregation and separate collection of household hazardous wastes (HHW)

.5 Separate collection of HHW should be encouraged through the wider dissemination of good practice, and the provision of appropriate funding. The National Household Hazardous Waste Forum should continue to be the lead body in this area.

*The HWF should consider HHW further in its next phase of work, focusing in particular on:*

- *Policy measures to reduce the hazardous content of consumer products through better design and to promote retailer take- back. The initial focus is likely to include identifying priority candidates for voluntary agreements.*
- *Encouraging wider public participation. This needs to be linked to any wider public awareness campaign (see R3.2.C above).*

NHHWF  
Defra  
Environment Agency  
LGA  
LAs

Done and on-going.

Haz Guide produced by NHHWF  
Imperial College study and MTP study available  
AEAT study on WEEE & hazardous waste  
Waste Strategy review looking at further policy options